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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Robin J. Guthrie

Serial No.: 10/816,403

Filed: April 1, 2004

Title: Fuel Cell Reactant Flow Fields That  
Maximize Planform Utilization

Docket No.: C-2480

Art Unit: 1795

Examiner: Keith D. Walker

DECLARATION UNDER 37 CFR 1.132

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Jeffrey Lake declare that:

1. I reside at 7 Hale Street, Ext, Vernon CT.
2. I have a Master of Science degree in Mechanical Engineering and have been working in the field of fuel cells and related arts for over 8 years, and am currently engaged in that field on behalf of UTC Power Corporation, South Windsor, CT.
3. I have familiarized myself with the subject matter of the above-identified application, as claimed in an amendment filed September 21, 2007.
4. I have familiarized myself with the content of US patent 6,255,011 (Fujii).
5. The longitudinal flow direction (claim 1, line 4) in Fujii's Fig. 6 is from Inlet 38a (column 3, line 31) (3:31 hereafter), in the direction of horizontal long-side arrow B (3:2,3) in Figs.3-6, to outlet 38b (4:1-4).
6. The merger of grooves 44a-44f in sections 92, 94 is downward (7: 35-37) which is transverse to the horizontal in Fig. 6 of Fujii.
7. The channels 44a-44f, 50a-50d do NOT each have "a transverse portion extending substantially transversely of said longitudinal direction and in fluid communication either (c) with

only one of said inlet portions or only one of said outlet portions, or (d) between one of said inlet portions and one of said outlet portions...." (Claim 1, lines 8-11)

8. There are no channels in Fujii which have downward portions of other than all being only one groove (92, 94) or all being two grooves (50a, 50b; 50c, 50d).

9. From the facts in paragraphs 5, 6 and 8, it is conclusive that Fujii does not have "some, but less than all transverse portions having more than one groove" called for in line 13 of claim 1.

10. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

My fln

Date

4/16/2008